

HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AT&T MOBILITY LLC,

Plaintiff,

v.

MARC SAPATIN, SAPATIN NGUYEN  
ENTERPRISES, INC., SAPATIN  
ENTERPRISES, INC., NGUYEN LAM,  
KYRA EVANS, PRASHANT VIRA, SWIFT  
UNLOCKS, INC. and JOHN DOES 1-50,  
United States individuals and entities,

Defendants.

No. 2:15-cv-1462

ORDER GRANTING JOINT MOTION  
TO EXTEND STAY

NOTING DATE: May 26, 2023

This matter came on for hearing upon the Joint Motion to Extend Stay submitted by the parties. Having considered the motion, the Court continues the current stay of the case, subject to the following conditions:

a. AT&T may only seek relief from the stay or case closure as to a currently named Defendant if restitution is not adjudicated in the related criminal proceedings referenced above. AT&T's right to seek relief from the stay or case closure in order to seek leave to amend the Complaint to name additional defendants, however, shall not be restricted by this Order.

b. AT&T shall promptly dismiss with prejudice all claims against each Defendant whose criminal proceeding is final and has resulted in AT&T having the opportunity to request

ORDER GRANTING CONSENT MOTION TO  
EXTEND STAY- 1  
Case No. 2:15-cv-01462-JNW

K&L GATES LLP  
925 FOURTH AVENUE  
SUITE 2900  
SEATTLE, WASHINGTON 98104-1158  
TELEPHONE: (206) 623-7580  
FACSIMILE: (206) 623-7022

1  
2 restitution against that Defendant.

3 c. For the avoidance of confusion, such dismissal shall occur no later than ten (10)  
4 days after AT&T is notified that a guilty plea has been entered that affords AT&T the  
5 opportunity to request restitution against that particular Defendant and a sentence against that  
6 particular Defendant has been entered.

7 d. If a related criminal proceeding has not yet resulted in the adjudication of  
8 restitution as to a particular Defendant by the time a temporary stay of proceedings expires, the  
9 remaining Parties shall stipulate to an additional stay or closure of this case, subject to approval  
10 by the Court, under the same terms as set forth herein.

11 e. AT&T shall not pursue claims against a remaining Defendant unless AT&T is  
12 denied the opportunity to request restitution in that Defendant's criminal case.

13 f. AT&T's dissatisfaction with the amount of restitution awarded against a  
14 particular Defendant, or a criminal court's decision not to award any restitution to AT&T, shall  
15 not provide AT&T with a basis to pursue claims against that Defendant.

16 g. AT&T will report to the Court by no later than December 15, 2023, regarding  
17 the current status of all federal criminal investigations into the Defendants and whether there  
18 are grounds that would warrant allowing the case to remain open.

19  
20 DATED: May 30, 2023.

21  
22 

23 Jamal N. Whitehead  
24 United States District Judge  
25  
26

1 Presented by:

2 /s/ David A. Bateman

3 David Bateman, WSBA #14262

4 K&L GATES LLP

5 925 Fourth Avenue, Suite 2900

6 Seattle, WA 98104-1158

Phone: (206) 370-6682

david.bateman@klgates.com

7 David L. Balser, Georgia Bar No. 035835

8 *(pro hac vice application forthcoming)*

9 Lawrence A. Slovensky, GA Bar No.

653005

10 *(pro hac vice application forthcoming)*

11 Edward A. Bedard, GA Bar No. 926148

12 *(pro hac vice application forthcoming)*

13 KING & SPALDING LLP

14 1180 Peachtree St. NE

15 Atlanta, Georgia 30309-3521

16 Tel: (404) 572-4600

17 Fax: (404) 572-5100

18 *Counsel for Plaintiff*

19 *AT&T Mobility LLC*